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MAR 29 2007

Application Number	09994465	Docket Number	DT.0103-CP1
Filed	11/26/2001	Group Art Unit	3628
Examiner	FADEY S. JABR	Customer No.	23669
Application Title	INTERFACE FOR SELECTIVE MERCHANDISE PRICE OPTIMIZATION		
First Named Inventor	JOHN CLOSE		

FACSIMILE COVER SHEET

To: Commissioner for Patents - Central Fax Number
Fax Number: 571-273-8300

From: HUFFMAN PATENT GROUP, LLC
Fax Number: (661) 460-1986

Pages: 5 (including this cover sheet)

Dear Sir:

Please accept the attached correspondence for the above-identified matter. I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

By: _____

RICHARD K. HUFFMAN, P.E.
Registration No. 41,082
Tel: (719) 575-9998

03/29/2007

Date: _____

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APPLICANT'S STATEMENT OF SUBSTANCE OF INTERVIEW

VIA FACSIMILE: 571-273-8300

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.133(b), Applicant submits this statement of the substance of the interview conducted on 02/21/2007. Applicant acknowledges receipt of the Interview Summary Form mailed on 03/14/2007, and provides this statement to supplement the record.

In addition to that information recorded on the Interview Summary Form, Applicant wishes to provide the following information (if applicable):

Brief Description of Nature of Exhibit/Demonstration

Not applicable.

Claims Discussed

Applicant's representative primarily discussed the standing independent claims, that is, claims 1 and 20. In addition, Applicant noted that the dependent claims add further elements and limitations over that subject matter discussed with reference to the noted independent claims.

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Prior Art Discussed

Applicant's representative specifically discussed the following prior art references:

- Kalyan et al., U.S. Patent No. 6,826,538;
- Ouimet et al., U.S. Patent No. 6,308,162;
- Phillips et al., U.S. Publication No. 2002/0116348; and
- Hartman et al., U.S. Publication No. 2006/0224534.

Principal Proposed Amendments of a Substantive Nature Discussed

Prior to the interview, Applicant had formally filed Amendments to the claims via Response C, dated 01/16/2007.

General Thrust of Principal Arguments Presented to the Examiner

Applicant's representative specifically noted that, generally speaking, Applicant's invention provides for, in part, an integrated market demand and demand chain cost optimization engine, which sets the present invention apart from any of the references cited during prosecution.

In particular, the undersigned noted that the noted claims recite substantially an optimization engine that estimates product demand, which additionally provides for at-large rules and relaxation of rules in order to perform optimization.

Regarding Kalyan, the undersigned pointed out that Kalyan teaches supply chain optimization (i.e., optimal order quantities), and in contrast, the present application claims consumer demand based price optimization apparatus and methods. Furthermore, it was noted that the apparatus/methods according to the claimed invention does not decide which products are to be sold, as does Kalyan teach, but the claimed invention enables a user to find optimal prices for every store and product combination that is being considered

It was noted in addition that Kalyan teaches an optimization problem which receives demand coefficient from elsewhere and, in contrast, the invention according to the

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present application is an integrated solution that first estimates demand coefficients, then allows a user to optimize for prices while observing business constraints.

Regarding Hartman, it was noted that Hartman teaches about applying constraints to a modeling (i.e., statistical estimation) process, whereas the instant application teaches about applying constraints to an optimization, where the constraints are provided by the user.

It was moreover noted that Hartman teaches a control theory application typically used in process control, such as might be observed in a chemical processing plant and, in contrast, the invention according to the instant application deals with product purchases by the end users and determining optimal set of prices--without any control intervention whatsoever. Thus, it was noted that these two uses are extremely different and far from obvious for combination considerations. The undersigned pointed out that control problems such as are taught by Hartman are unique in that they require continuous intervention (say, e.g., flying an airplane). These types of problems are different than optimization problems where the optimizer recommends a decision, without continual changes.

Other Pertinent Matters Discussed

The Examiner's noted that a terminal disclaimer should be filed to preclude double patenting rejections over related applications.

General Results/Outcome

No agreement was reached with respect to the claims. The Examiner consented to consider the arguments provided during the interview when reconsidering the claims responsive to the instant claim amendments.

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Applicant earnestly requests that the Examiner contact the undersigned practitioner by telephone if the Examiner has any questions or suggestions concerning this statement, the application, or allowance of any claims thereof.

I hereby certify under 37 CFR 1.8 that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date of signature shown below.

Respectfully submitted,
HUFFMAN PATENT GROUP, LLC

/ Richard K. Huffman /

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